

**Notice of Allowability**

Application No.

10/758,631

Examiner

Christina Russell

Applicant(s)

ROGERS, WAYNE A.

Art Unit

2837

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☐ This communication is responsive to amendment filed 11/28/05
2. ☒ The allowed claim(s) is/are 1-6,9-12,14,17-19 and 21-25.
3. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some\* c) ☐ None of the:
- ☐ Certified copies of the priority documents have been received.
  - ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  - ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

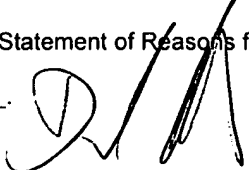
\* Certified copies not received: \_\_\_\_\_.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.  
**THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.**

4. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
5. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
- (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
- 1) ☐ hereto or 2) ☐ to Paper No./Mail Date \_\_\_\_\_.
- (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date \_\_\_\_\_.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
6. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

**Attachment(s)**

- |   |   |
|---|---|
| 1. <input type="checkbox"/> Notice of References Cited (PTO-892)  | 5. <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)           |
| 2. <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)                                | 6. <input type="checkbox"/> Interview Summary (PTO-413),<br>Paper No./Mail Date _____ |
| 3. <input type="checkbox"/> Information Disclosure Statements (PTO-1449 or PTO/SB/08),<br>Paper No./Mail Date _____ | 7. <input type="checkbox"/> Examiner's Amendment/Comment                              |
| 4. <input type="checkbox"/> Examiner's Comment Regarding Requirement for Deposit<br>of Biological Material          | 8. <input checked="" type="checkbox"/> Examiner's Statement of Reasons for Allowance  |
|   | 9. <input type="checkbox"/> Other _____   |

  
DAVID MARTIN  
SUPERVISORY PATENT EXAMINER  
TECHNOLOGY CENTER 2800

## **DETAILED ACTION**

### **Drawings**

1. The amendment to Figure 1, or more specifically, the addition of reference number 35 to the drawing is accepted.

### **Specification**

2. The amendment to the specification, or more specifically, the clarification of specified reference numbers 75, 87 and 105 on page 9, lines 22-25 and page 10, lines 1-6 and their relationship to Figures 6, 8 and 11A is accepted.

### **Reasons For Allowance**

3. The following is an examiner's statement of reasons for allowance:
4. The prior art relied upon in the first office action rejection by Ikuma (4,501,186) and LaBarbera (6,441,293) no longer teach all the claimed elements of the independent claims 1, 10, and 23, and no other prior art references could be found that teach said claimed elements, therefore the independent claims and their dependent claims are considered allowable.
5. In terms of claim 1, neither Ikuma or LaBarbera teach three rotatable tuning knobs located on the specified sides of the housing, having an axis of rotation perpendicular to the vertical axis passing through the top and bottom surface of the claimed pickup device.

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6. In terms of claim 10, neither Ikuma nor LaBarbera teach again the three rotatable knobs located on the specified sides of the housing for controlling three different sensors comprised in the pickup unit. They also do not teach the particular clamping device claimed or the sensors which each sense a different element, such as acoustic pressures, mechanical energy or motion of strings.

7. Lastly, in terms of claim 23, neither Ikuma nor LaBarbera teach again the locations of the three tuning knobs, especially the tuning knobs being located beneath and away from the strings and being easily reached by the user while playing the stringed instrument. They also do not teach, as stated above in claim 10, the specified clamping device.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."